

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Tony Calvin Jenkins**

**Docket No. 5:02-CR-223-1H**

**Petition for Action on Supervised Release**

COMES NOW Scott Plaster, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Tony Calvin Jenkins, who, upon an earlier plea of guilty to Distribution of at Least 50 Grams of Crack Cocaine, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on March 18, 2003, to the custody of the Bureau of Prisons for a term of 192 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

Tony Calvin Jenkins was released from custody on August 7, 2015, at which time the term of supervised release commenced.

On December 15, 2016, a Violation Report was submitted to the court, advising the court that the defendant had been charged with Driving While License Revoked in Johnston County, North Carolina, on December 2, 2016. Based upon the defendant's compliance otherwise, no action was taken in order to allow the defendant to satisfy old financial debts related to past driving offenses. The case remains pending in state court.

On August 18, 2017, a second Violation Report was submitted to the court whereby the court was notified that the defendant had been charged with Driving While License Revoked in Johnston County, North Carolina. The probation officer met with the defendant and set a payment plan in order for the defendant to attack the debt and satisfy his 18-year-old outstanding financial obligations. The case is pending in state court.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:** On October 29, 2017, the defendant was charged with Driving While License Revoked in Johnston County, North Carolina. When confronted about the charge, the defendant stated that his sister was in the hospital in Raleigh, North Carolina, and he drove to the hospital to see her. The defendant stated he was on his way to return the car he was driving to his sister's home in Selma, North Carolina, when he encountered a license check point. He was cited when he went through the check point. Since the court was notified of the defendant driving without a license in August 2017, the defendant has taken small steps to address his outstanding financial obligations in Johnston County. Rather than return to court for revocation proceedings, it is recommended the defendant be placed under a curfew, with location monitoring, for a period not to exceed 30 consecutive days. This would allow the defendant to continue working, in addition to affording the defendant one more opportunity to handle his outstanding financial obligations so he can have his license restored. The defendant has been warned that should he be cited for another offense for driving without a license, he will return to court for revocation proceedings. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 30 consecutive days. The defendant is restricted to residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

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Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

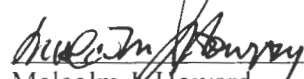
I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Jeffrey L. Keller  
Jeffrey L. Keller  
Supervising U.S. Probation Officer

/s/ Scott Plaster  
Scott Plaster  
U.S. Probation Officer  
310 New Bern Avenue, Room 610  
Raleigh, NC 27601-1441  
Phone: 919-861-8808  
Executed On: November 21, 2017

**ORDER OF THE COURT**

Considered and ordered this 21<sup>st</sup> day of November, 2017, and ordered filed and  
made a part of the records in the above case.

  
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Malcolm J. Howard  
Senior U.S. District Judge